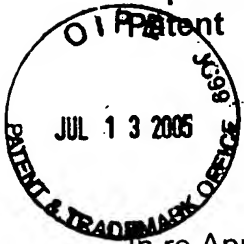


7-14-05

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Express Mail Label No. EV 516209210 US

ATTORNEY DOCKET NO.: D0932-00415
[I-8776]



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: John O. Ruid et al.

Confirmation No. 4749

Serial No.: 10/757,893

Group Art Unit: 1772

Filed: January 15, 2004

Examiner: Marc A. Patterson

For: **DUCT BOARD HAVING A FACING WITH ALIGNED FIBERS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Express Mail Label No. EV 516209210 US

I hereby certify that this correspondence and the documents referred to as attached therein are being deposited with the United States Postal Service using express mail Post Office to addressee service, in an envelope addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450,

July 13, 2005
Date
Steven E. Koffs
Steven E. Koffs, Reg. No. 37,163

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER

Dear Sir:

Enclosed herewith is an Information Disclosure Statement pursuant to 37 CFR. § 1.56 in connection with the above-identified application, which statement is being filed:

- ☐ Together with the present application.
- ☒ Before the first Office Action on the merits or three (3) months from the filing date of this application, whichever occurs last. **[37 CFR § 1.97(b)]**
- ☐ After the first Office Action on the merits, but before a Final Office Action under §1.113 or Notice of Allowance under §1.311, whichever occurs first. **[37 CFR § 1.97(c)]**
- ☐ After a Final Office Action under §1.113 or Notice of Allowance under §1.311, but prior to or with payment of the Issue Fee. **[37 CFR § 1.97(d)]**

Consistent with Applicant's obligations pursuant to 37 CFR §§1.97 and 1.98, the following requirements have been met:

☒ No separate requirements are needed.

☒ No additional fee is required.

☐ **Fee Under 37 CFR § 1.97(c)**

The fee of \$180.00 for submission of an IDS under § 1.97(c) as set forth in § 1.17(p) accompanies this statement.

☐ **Fee Under 37 CFR § 1.97(d)**

The fee of \$180.00 for submission of an information disclosure statement under § 1.97(d) set forth in § 1.17(p) accompanies this statement.

☐ **Certification Under 37 CFR § 1.97(e)**

- ☐ Each item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement; or
- ☐ No item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in this statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this statement.

Provision of Copies of References

- ☒ Copies of cited references which are U.S. Patents or U.S. Patent Application Publications are not required for this application, which has a filing date after June 30, 2003 (1276 OG 55, 5 August 2003).

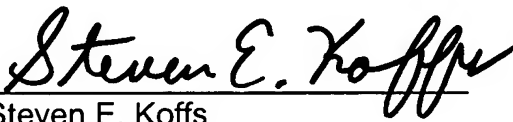
- [X] A copy of each of the references listed on the attached Form PTO-1449 which are not U.S. Patents or U.S. Patent Application Publications are enclosed herewith and forms a part hereof.
- [] Partial Translations of References are enclosed herewith and form a part hereof.
- [] A copy of the European Search Report from a corresponding or related EPO application is enclosed herewith.
- [] A copy of the International Search Report from a corresponding or related PCT application is enclosed herewith.

Identification of Prior Application(s) In Which Listed Information Was Already Cited And For Which No Copies Are Submitted Or Need Be Submitted

- [] This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior U.S. Application No(s). 10/141,595, filed May 8, 2002. All references listed on the enclosed form PTO-1449 except for the above 2 enclosed references were submitted to, and/or cited by, the Office in the prior application(s) and therefore are not required to be provided in this application:
- [x] The Commissioner is hereby authorized to charge any fees associated with this communication or credit any overpayment to Deposit Account No. 04-1679. A duplicate copy of this transmittal is attached.

Respectfully submitted,

DATE: 7-13-05


Steven E. Koffs
Registration No. 37,163
Attorney for Applicant(s)

DUANE MORRIS LLP
One Liberty Place
Philadelphia, PA 19103-7396
Telephone: 215-979-1250
Fax: 215-979-1020

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 8

Complete if Known

Application Number	10/757,893
Filing Date	01-15-2004
First Named Inventor	John O. Ruid
Art Unit	1772
Examiner Name	Marc A. Patterson
Attorney Docket Number	D0932-00415 [I-8776]

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (If known)			
	AA	2003/0032351 A1	02-13-2003	Horner, Jr. et al.	
	AB	2003/0056229 A1	03-20-2003	Crabtree et al.	
	AC	2003/0236043 A1	12-25-2003	Calzavara et al.	
	AD	2004/0038608 A1	02-26-2004	Shaw et al.	
	AE	2004/0118472	06-24-2004	Mota et al.	
	AF	2004/0137181 A1	07-15-2004	Ruid et al.	
	AG	2005/0031819 A1	02-10-2005	Mankell et al.	
	AH	2,428,591	10-07-1947	G. Slayter	
	AI	2,695,855	11-30-1954	J.F. Stephens	
	AJ	2,768,026	10-23-1956	J.F. Stephens et al.	
	AK	2,790,464	04-30-1957	J.F. Stephens et al.	
	AL	2,881,110	04-07-1959	F.W. Walker et al.	
	AM	2,938,737	05-31-1960	F.W. Walker et al.	
	AN	3,113,788	12-10-1963	Johnston	
	AO	3,242,527	03-29-1966	D.J. Rosenberg	
	AP	3,265,530	08-09-1966	Marzocchi et al.	
	AQ	3,396,070	08-06-1968	U.T. Gambill et al.	
	AR	3,492,771	02-03-1970	I.P. Jones et al.	
	AS	3,507,730	04-21-1970	U.T. Gambill et al.	
	AT	3,616,181	10-26-1971	Stalego	
	AU	3,642,560	02-15-1972	Marsh, Jr. et al.	
	AV	3,942,774	03-09-1976	Sokolow	
	AW	3,945,962	03-23-1976	Clark	

Examiner
Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard St.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 2 of 8

Complete if Known

Application Number	10/757,893
Filing Date	01-15-2004
First Named Inventor	John O. Ruid
Art Unit	1772
Examiner Name	Marc A. Patterson
Attorney Docket Number	D0932-00415 [I-8776]

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		Number-Kind Code ² (If known)			
	AX	3,980,511	09-14-1976	Proucelle	
	AY	3,996,824	12-14-1976	Cailey	
	AZ	4,002,367	01-11-1977	Thomas	
	BA	4,070,954	01-31-1978	Cailey	
	BB	4,179,808	12-25-1979	Smith	
	BC	4,226,662	10-07-1980	McCort	
	BD	4,758,395	07-19-1988	Zion	
	BE	4,824,714	04-25-1989	Gest	
	BF	5,008,131	04-16-1991	Bakhshi	
	BG	5,009,932	04-23-1991	Klett et al.	
	BH	5,371,989	12-13-1994	Lehnert et al.	
	BI	5,391,840	02-21-1995	Hughes et al.	
	BJ	5,397,631	03-14-1995	Green et al.	
	BK	5,549,942	08-27-1996	Watts	
	BL	5,612,405	03-18-1997	Bainbridge et al.	
	BM	5,624,471	04-29-1997	Gaeta et al.	
	BN	5,712,012	01-27-1998	Forman et al.	
	BO	5,776,841	07-07-1998	Bondoc et al.	
	BP	6,451,432 B1	09-17-2002	Azzopardi et al.	
	BQ	6,555,951 B2	04-29-2003	Jeoung	
	BR	6,769,455 B2	08-03-2004	Toas et al.	

Examiner
SignatureDate
Considered

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/757,893
				Filing Date	01-15-2004
				First Named Inventor	John O. Ruid
				Art Unit	1772
				Examiner Name	Marc A. Patterson
Sheet	3	of	8	Attorney Docket Number	D0932-00415 [I-8776]

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code - Number - Kind Code (If known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Figures Appear	T
	BS	WO 99/00338	01-07-1999	Elk Corporation		

Examiner Signature		Date Considered	
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		Filing Date	01-15-2004		
		First Named Inventor	John O. Ruid		
		Art Unit	1772		
		Examiner Name	Marc A. Patterson		
Sheet	4	of	8	Attorney Docket Number	D0932-00415 [I-8776]

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher city and/or country where published	T ²
	BT	CertainTeed - CertaPro™ (FiberGlass Insulation), Commercial Insulation, ©2003 CertainTeed Corporation	
	BU	CertainTeed – Product - Certapro™ Commercial Board, http://www.certainteed.com/pro/insulation/html/Commercial/ins_com_combrd.htm , 08/21/2003	
	BV	CertainTeed – Comercial Board Insulation, http://www.allinterior.com/showrooms/certainteed/scenery/commercialboardinsulation.htm , 08/21/2003	
	BW	CertainTeed, "CertainTeed Product Information," CertainTeed Building Solutions, not later than 12/30/2002	
	BX	CertainTeed, "Product Sheet – ToughGard™ Duct Board with Enhanced Surface, http://www.certainteed.com/pro/insulation/html/AHprod/ins_mech_tg_db.html , 07/31/2003	
	BY	CertainTeed Specification Sheet – Acousta Blanket™ Black Insulation, May 2003	
	BZ	CertainTeed Specification Sheet – AcoustaBoard™ Black Insulation, May 2003	
	CA	CertainTeed Specification Sheet - CertaPro™ AcoustaBoard™ Black, October 2002	
	CB	CertainTeed Specification Sheet - CertaPro™ AcoustaBlanket Black™, October 2002	
	CC	CertainTeed Specification Sheet - CertaPro™ AcoustaTherm™ Batts, May 2001	
	CD	CertainTeed Specification Sheet - CertaPro™ Commercial Board, 5/01	
	CE	CertainTeed Specification Sheet - CertaPro™ Partition Batts, June 2002	
	CF	CertainTeed Specification Sheet - CertaPro™ Thermal Extended Flange Batts, October 2002	
	CG	CertainTeed Specification Sheet - CertaPro™ Thermal Foil Faced Batts, October 2003	

Examiner Signature		Date Considered	
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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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		Application Number	10/757,893
		Filing Date	01-15-2004
		First Named Inventor	John O. Ruid
		Art Unit	1772
		Examiner Name	Marc A. Patterson
Sheet 5 of 8	Attorney Docket Number	D0932-00415 [I-8776]	

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher city and/or country where published	T ²
	CH	CertainTeed Specification Sheet - CertaPro™ Thermal FSK-25 Faced Batts, June 2003	
	CI	CertainTeed Specification Sheet - CertaPro™ Thermal Kraft Faced Batts, October 2002	
	CJ	CertainTeed Specification Sheet – Commercial Blanket Insulation, April 2000	
	CK	CertainTeed Specification Sheet CrimpWrap™ Crimped Pipe and Tank Wrap, December 2002	
	CL	CertainTeed Specification Sheet, EZR™ Fiber Glass Building Insulation, January 2004	
	CM	CertainTeed Specification Sheet, FlameChek™ Duct Insulation, April 2002	
	CN	CertainTeed Specification Sheet, FlameChek™ Plenum Insulation, November 2002	
	CO	CertainTeed Specification Sheet, FlameChek™ Plus 2 Duct Insulation (Single Layer System), April 2002	
	CP	CertainTeed Specification Sheet – Metal Building Insulation 202-96, June 2003	
	CQ	CertainTeed Specification Sheet – OEM Acoustical Board Insulation, March 2002	
	CR	CertainTeed Specification Sheet – Preformed Pipe Insulation, August 2003	
	CS	CertainTeed Specification Sheet, Soft Touch™ Duct Wrap Insulation, August 2003	
	CT	CertainTeed Specification Sheet – Sound Attenuation Batts Acoustical Ceiling Batts NoiseReducer™ Batts, November 2003	
	CU	CertainTeed Specification Sheet – SpeedyR™ Tabless Batts, September 2003	
	CV	CertainTeed, "Specification Sheet – ToughGard™ Duct Board", April 2002	

Examiner Signature	Date Considered
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		Filing Date	01-15-2004		
		First Named Inventor	John O. Ruid		
		Art Unit	1772		
		Examiner Name	Marc A. Patterson		
Sheet	6	of	8	Attorney Docket Number	D0932-00415 [I-8776]

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher city and/or country where published	T ²
	CW	CertainTeed, "Specification Sheet – ToughGard Rigid Liner Board with Enhanced Surface, March 2002	
	CX	CertainTeed Corporation, "Specification Sheet – Ultra*Duct™ Duct Board, April 2001 or March 2002	
	CY	CertainTeed Corporation, "Specification Sheet – Ultra*Duct™ Gold", August 2003	
	CZ	CertainTeed Specification Sheet - Ultralite® Duct Liner, April 2003	
	DA	CertainTeed Specification Sheet – Universal Blanket, August 2003	
	DB	CertainTeed ToughGard™ Duct Board, http://www.certainteed.com/cinsulate/cict00801p.html , 09/04/2003	
	DC	CertainTeed ToughGard™ Duct Board Fabrication and Insulation, October 1994	
	DD	CertainTeed, "ToughGard™ Duct Board Fiber Glass Duct Board Systems,	
	DE	Fiber-Glass Duct Systems, http://www.tpub.com/steelworker2/27.htm , 08/14/2003	
	DF	IBACOS, Fibrous Glass Duct Board White Paper, 2003	
	DG	Isover Gullfiber - translation of the relevant parts of the Danish ventilation duct product "Industriplad Sort" and the corresponding Ventilation Duct Application brochure	
	DH	Isover Roclairne, "Recommended Prices January 1990," Cristaleria Espanola S.A., Insulation Division, January 1993, 3 pages (translation attached)	
	DI	Isover Roclairne, "Recommended Prices January 1991," Cristaleria Espanola S.A., Insulation Division, January 1993, 3 pages (translation attached)	
	DJ	Johns-Manville, "Super Duct™" Air Duct Board Fabrication Instructions, AHS-204, February 1998	

Examiner Signature		Date Considered	
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		First Named Inventor	John O. Ruid		
		Art Unit	1772		
		Examiner Name	Marc A. Patterson		
Sheet	7	of	8	Attorney Docket Number	D0932-00415 [I-8776]

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	DK	Johns Manville, Fiber Glass Mat (Acrylic Binder), Material Safety Data, Sheet ID: 1014, Section 1 – Chemical Product and Company Identification pp 1-6, 10/21/2002	
	DL	Johns-Manville Manufacturing, "Finished Product Specification – Mat Faced Mad Board Spec No. 4365-15.6", 1971 – 1973, USA	
	DM	Johns Manville, Glass Fiber Mats, Elasti-Glass® 3200B Series, 1 p., 10/30/02	
	DN	Knauf, Air Duct Board-M with Hydroshield™ Technology, Submittal Sheet, Form No. AH-SS-6, 10/2000	X
	DO	Knauf Fiber Glass Insulation – Products, www.knauffiberglass.com/index.cfm?fuseaction=prd.dspProdDetail&ID=12 , pp 1-7, 8/25/2003	
	DP	Knauf Fiber Glass Insulation – Products, Knauf Air Duct Board-M www.Knauffiberglass.com/index.cfm?fuseaction=prd.dspProdDetail&ID=14 , pp 1-7, 1/8/2003	
	DQ	Lydall, 23# Manniglas® 1803 WHB, Development Grade-Lot F2956, Data Sheet, 1 page, 11/20/2002	
	DR	Lydall, 27# Manniglas® 1807, Development Grade-Lab Handsheets, Data Sheet, 1 page, 1/8/04	
	DS	Lydall, 40# Manniglas® 1786 Black, Development Grade-Lot F2933, Data Sheet, 1 page, 11/2002	
	DT	Lydall, 40# Manniglas® 1886 Black, Data Sheet, 1 page, 8/2002	
	DU	Lydall, 40# Manniglas® 1886 BX Black, Developmental Lot F2434, Data Sheet, 1 page, 12/2001	
	DV	Mid-rise and High-rise Exterior Building Envelope Board, Current System – Massachusetts "specifications"	
	DW	North American Insulation Manufacturers Association, "Fabrication Dimensions for 2" (R-8.7) Fibrous Glass Duct Board, Pub. No. AH-136, August 2002	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Complete if Known	
		Application Number	10/757,893
		Filing Date	01-15-2004
		First Named Inventor	John O. Ruid
		Art Unit	1772
		Examiner Name	Marc A. Patterson
Sheet 8	of 8	Attorney Docket Number D0932-00415 [I-8776]	

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher city and/or country where published	T ²
	DX	North American Insulation Manufacturers Association, "Facts About Using Sealants in Fiber Glass Air Handling Systems", Insulation Facts #36, Pub. No. AH 125, September 2000	
	DY	North American Insulation Manufacturers Association, "Fibrous Glass Duct System", Insulation Facts #64, Pub. No. AH 137, January 2003	
	DZ	RD Specialties, "Smooth Stainless Steel Rods, etc.", Webster, NY	
	EA	ROXUL® - The Better Insulation™ - RHT™605 Commercial Board - Design No. W605, RHT Industrial Board, http://199.202.236.133/canada/product_details.asp?id=82 , 08/21/2003	
	EB	ROXUL® - The Better Insulation™ - Technical Product Information, Board Insulation 15080 RHT™605, ROXUL, INC., 06/01/2002	
	EC	ROXUL® - The Better Insulation™ - Technical Product Information, Board Insulation 15080, RHT™606, ROXUL, INC., 06/01/2002	

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